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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US Patent No. 6,786,421
Issued: September 7, 2004
Title: Programmable Thermostat Including a
Feature for Providing a Running Total for the
Cost of Energy Consumed During a Given
Period for Heating and/or Cooling a
Conditioned Space
Inventor(s): Howard Rosen
Serial No.: 10/ 654,236
Filing Date: September 3, 2003
Attorney Docket No.: 0307.1cA4

DISCLAIMER OF EARLIER FILING
DATE UNDER 35 USC 120

Certificate
FEB 25 2005
of Correction

COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above inventor, patentee and owner of 100 percent of all rights, titles and interests in US Patent 6,786,421 submits to the file of US Patent 6,786,421 the following disclaimer of an earlier filing date obtained pursuant to 35 USC § 120.

The application leading to issue of the above patent was filed claiming benefit pursuant to 35 USC § 120 of the earlier filing date of:

US Patent No. 6,824,069
Issued: November 30, 2004
Title: PROGRAMMABLE THERMOSTAT SYSTEM EMPLOYING A
TOUCH SCREEN UNIT FOR INTUITIVE INTERACTIVE INTERFACE
WITH A USER
Inventor(s): Howard Rosen
Serial No. 10/060768
Filing Date: January 30, 2002

Applicant hereby disclaims for US Patent 6,786,421 the benefit of the earlier filing date of Serial No. 10/060768 pursuant to 35 USC § 120 and accepts as the filing date of this application that date on which the application was actually filed with the USPTO, i.e., the filing date indicated above with this patent's bibliographic information.

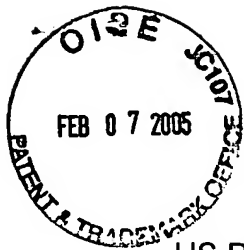
All the claims of US Patent No. 6,824,069 are being disclaimed by the Applicant for the entire term of that patent. Patentee Howard Rosen seeks to sever all connection between US Patent No. 6,824,069 and US Patent 6,786,421.

Respectfully submitted,

February 4, 2005

A handwritten signature in black ink, appearing to read "D. Bracken", with a stylized flourish at the end.

David T. Bracken
Reg. No. 37,522



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TRANSMITTAL LETTER:
DISCLAIMER OF EARLIER
FILING DATE UNDER 35 USC
120

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Sir:

Transmitted hereunder for filing
are the documents as listed below.

☒ DISCLAIMER OF EARLIER FILING
DATE UNDER 35 USC 120 – 2 p.

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Signature: David T. Bracken
Date of Mailing: February 4, 2005

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